

RULE 132 DECLARATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of
Noboru Abe et al. Art Unit 1621
Serial No. 10/584,221 Examiner S. Kumar
Filed: June 20, 2007
For: PROCESS FOR PRODUCING 2-HALOGENOBENZAMIDE COMPOUND

D E C L A R A T I O N

Honorable Commissioner for
Patents
Alexandria, VA 22313-1450

Sir:

I, Hiroki Kodama, a citizen of Japan, residing at 685 Tohkikita,
Naka-ku, Sakai-shi, Japan, declare:

That I graduated from Osaka Prefectural College of Technology
in March 1980;

That I entered NIHON NOHYAKU CO., LTD. in April 1980, and I have
been working in PROCESS RESEARCH UNIT of R & D STRATEGY
DEPARTMENT of RESEARCH & DEVELOPMENT DIVISION of said company;

That I am one of the co-inventors of the above-identified
application, and familiar with the disclosure and the claims
of the said application;

That I have read and understood the Official Action with the
mailing date of March 31, 2008;

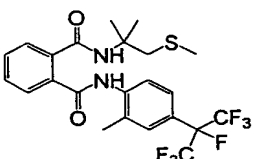
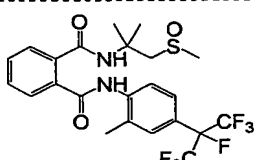
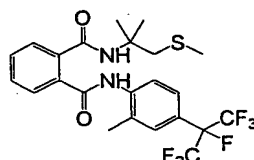
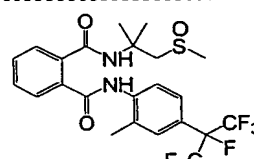
That in order to clarify the superiority of the invention of
the above-identified application, I conducted the following
experiment:

1. Experimental

The same procedures as in Examples 4 and 5 of the above-identified application were repeated except that the sulfoxide was replaced with the corresponding sulfide.

2. Results

The results are reported in the following table. The yield of Examples 4 and 5 are the reproduction from the specification of the above-identified application.

Starting material	Reaction conditions	Yield (%)
	Same as in Example 4	29
	Example 4	87
	Same as in Example 5	27
	Example 5	87

3. Remarks

Clearly, reduction of the required amount of precious Pd catalyst and improvement in the yield of the final product have been achieved by the route according to the present invention which uses a sulfoxide as the starting material.

I also believe that the results were unexpected for a person skilled in the art at the time the present invention was made.

The undersigned declarant declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this

day of June, 2008

9th

Hiroki Kodama

Hiroki Kodama